

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

JEANNIE LYNN PETERS AMBURGEY

PLAINTIFF

V.

NO. 3:21-CV-72-DMB-JMV

**COMMISSIONER OF SOCIAL
SECURITY**

DEFENDANT

ORDER

On April 7, 2021, Jeannie Lynn Peters Amburgey filed a complaint in the United States District Court for the Northern District of Mississippi seeking judicial review of the decision denying her claim for supplemental security income and/or disability insurance benefits. Doc. #1. On December 17, 2021, this Court reversed the unfavorable decision and remanded this case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Doc. #22. On January 12, 2022, Amburgey filed a motion for an award of attorney's fees in the amount of \$4,233.60 pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d),¹ made payable to her for the benefit of her counsel, for 22.40 total hours of work performed at the rate of \$189 per hour. Doc. #24. The Commissioner does not object to the requested hourly award. Doc. #25.

In the absence of objection to the hourly rate and hours worked, the Court finds a fee award of \$4,233.60 is reasonable and no special circumstance would make the award unjust. Accordingly, Amburgey's motion for attorney's fees [24] is **GRANTED**. The Commissioner is **DIRECTED** to promptly pay Amburgey \$4,233.60 in attorney's fees for the benefit of her

¹ The judgment in this case is properly considered final because the case was remanded pursuant to sentence four of 42 U.S.C. § 405(g), which "terminates the civil action seeking judicial review of the Secretary's final decision." *Shalala v. Schaefer*, 509 U.S. 292, 298–99 (1993) (cleaned up).

counsel. The award shall be made payable to Amburgey and mailed to her counsel's address.

SO ORDERED, this 31st day of January, 2022.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE